

# Frankfurt Kurnit Klein + Selz PC

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November 11, 2014

VIA ECF AND FAX

Hon. Naomi Reice Buchwald  
United States District Judge  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
Courtroom 21A  
500 Pearl Street  
New York, NY 10007-1312  
Fax: (212) 805-7927

RE: Cache, Inc. v. One Rockwell Corp., Index No. 14-cv-8862

Dear Judge Buchwald:

This firm represents Defendant One Rockwell Corp. (“One Rockwell”) in the above-captioned matter. We write pursuant to your Honor’s individual practices to request an extension of One Rockwell’s time to answer or otherwise move in response to Plaintiff Cache, Inc.’s (“Cache”) complaint through and including November 25, 2014.

Cache originally filed this action in New York Supreme Court, No. 653062/2014, and served One Rockwell by delivering a copy of the summons and complaint to the New York Secretary of State on October 8, 2014. One Rockwell timely removed the action to this Court by filing its Notice of Removal on November 6, 2014. The last day for One Rockwell to answer or move is therefore November 13, 2014. *See* Fed. R. Civ. P. 81(c)(2)(C).

This is One Rockwell’s first request for additional time and is made with the consent of opposing counsel. A stipulation reflecting the parties’ agreement is attached hereto as Exhibit A.

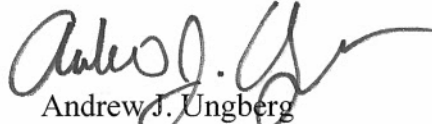
Hon. Naomi Reice Buchwald

Nov. 11, 2014

Page 2 of 2

Based on the foregoing, One Rockwell respectfully requests that this Court grants its request to extend its time to respond to the complaint in this action.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrew J. Ungberg", with a long horizontal flourish extending to the right.

Andrew J. Ungberg

Brian E. Maas

*Attorneys for Defendant*

*One Rockwell Corp.*

Enclosure

cc: Donna E. Edbril, Esq. (via first-class mail)

*Attorney for Plaintiff Cache, Inc.*

**EXHIBIT A**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CACHE, INC.,

a Delaware corporation,

Plaintiff,

-against-

ONE ROCKWELL CORP.,

a Florida corporation

Defendant.

Index No. 14-cv-8862

**AFFIRMATION OF SERVICE**

I, ANDREW J. UNGBERG, declare under the penalty of perjury that on November 11, 2014, I served a copy of the attached document, Defendant One Rockwell Corp.'s letter application for extension of time to answer or move in response to the complaint filed in this action, upon the Plaintiff via first-class mail to the following address:

Donna E. Edbril, Esq.  
256 West 38<sup>th</sup> Street  
New York, NY 10018  
Tel: (212) 789-1333  
*Attorney for Plaintiff Cache, Inc.*

Dated: November 11, 2014  
New York, NY



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